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Attorneys for Plaintiff
McMillan Data Communications, Inc.

IN THE UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

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| MCMILLAN DATA COMMUNICATIONS, INC., a California corporation, |) | Case No.: 3:14-cv-03127-JD |
| Plaintiff, |) | |
| vs. |) | PROPOSED ORDER FOR ENTRY OF |
| |) | DEFAULT JUDGMENT AGAINST |
| |) | AMERICOM AUTOMATION SERVICES, |
| |) | INC.; JUSTIN L. PELAYO; AND TRACI |
| |) | PELAYO |
| AMERICOM AUTOMATION SERVICES, INC., a purported New Mexico corporation; JUSTIN L. PELAYO, an individual; TRACI PELAYO, an individual; and DOES 1 through 20 inclusive, |) | |
| Defendants. |) | |

The Court, having considered McMillan Data Communications, Inc.'s ("McMillan") application for entry of default judgment, memorandum of points and authorities in support thereof, the declarations of Patrick McMillan and Patricia Walsh, the exhibits submitted in support thereof, any such matters as to which the Court may take judicial notice, the supplemental briefing provided by McMillan, and such further evidence and argument that was permitted at the hearing, if necessary, and good cause appearing,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:

1. McMillan's application for entry of default judgment is GRANTED with respect to McMillan's claims for breach of contract, common counts, breach of guarantee, and breach of promissory note.

2. Judgment is awarded in McMillan's favor in the maximum amount of \$389,930.39 from Americom Automation Services, Inc. (consisting of \$308,459.40 in principal, plus \$62,490.49 in prejudgment interest and \$18,980.50 for attorney's fees and costs) with Traci Pelayo jointly and severally liable to the extent of \$378,884.48 (consisting of \$308,459.40 in principal, plus \$70,425.08 in prejudgment interest), and Justin L. Pelayo jointly and severally liable to the extent of \$340,851.82 (consisting of \$301,873.25 in principal, plus \$19,998.07 in prejudgment interest, and \$18,980.50 for attorney's fees and costs).

3. Interest shall continue to accrue on the unpaid sum from the date that judgment is entered, at the legal rate of 10% per annum; and

4. McMillan shall be entitled to contractual and statutory attorney's fees and costs incurred in enforcing the judgment.

IT IS SO ORDERED.

Dated: August 19, 2015

